

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CYNTHIA RICHARDS-DONALD,

Plaintiff,

v.

TIAA BOARD OF OVERSEERS; TEACHERS
INSURANCE AND ANNUITY ASSOCIATION
OF AMERICA; TIAA-CREF INDIVIDUAL AND
INSTITUTIONAL SERVICES, LLC; AND
JARROD FOWLER, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITIES,

Defendants.

Civil Action No. 13 CV 7405 (DAB)

**NOTICE OF MOTION ON BEHALF OF DEFENDANTS
FOR MORE DEFINITE STATEMENT**

PLEASE TAKE NOTICE that upon this Notice of Motion, the Memorandum of Law in Support of Defendants' Motion, the annexed declaration of Eric B. Sigda, Esq., dated November 19, 2013, and upon prior proceedings and pleadings filed herein, Defendants now move this Court before the Honorable Deborah A. Batts, at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007-1312, for an Order requiring Plaintiff to provide a more definite statement of her claims pursuant to Federal Rule of Civil Procedure 12(e) on the basis that Plaintiff's classic "shotgun pleading" style in the Amended Complaint makes it impossible to determine which of her factual allegations are intended to support which of her distinct legal theories of liability.

Dated: New York, New York
November 19, 2013

Respectfully submitted,

GREENBERG TRAURIG, LLP

By: /s/ Eric B. Sigda

Eric B. Sigda (ES-1827)

Met Life Building
200 Park Avenue
New York, New York 10166
sigdae@gtlaw.com
(212) 801-9386

David W. Long-Daniels*
GREENBERG TRAURIG, LLP
Terminus 200
3333 Piedmont Road, NE
Suite 2500
Atlanta, Georgia 30305
(678) 553-2100
** Application for admission
pro hac vice forthcoming*

Attorneys for Defendant Jarrod Fowler